

314 CMR 6.00: GROUND WATER QUALITY STANDARDS

Section

- 6.01: Purpose and Authority
- 6.02: Definitions
- 6.03: Ground Water Classes and Designated Uses
- 6.04: Establishing Ground Water Classifications
- 6.05: Assignment of Class III Ground Waters
- 6.06: Minimum Ground Water Quality Criteria
- 6.07: Application of Standards
- 6.08: Monitoring
- 6.09: Specific Ground Water Class Designation
- 6.10: Interim Provisions

6.01: Purpose and Authority

314 CMR 6.00 establishes the Massachusetts Ground Water Quality Standards pursuant to the provisions of M.G.L. c. 21 §§ 27(5), 27(6), and 27(12). These standards consist of ground water classifications, which designate and assign the uses for which the various ground waters of the Commonwealth shall be maintained and protected; water quality criteria necessary to sustain the designated uses; and regulations necessary to achieve the designated uses or maintain the existing ground water quality.

6.02: Definitions

As used in 314 CMR 6.00, the following words have the following meanings:

Aquifer - a geological formation, group of formations, or part of a formation that is capable of yielding a significant amount of water to a well or spring.

Consolidated Rock or Bed Rock - any solid hard rock exposed at the surface of the earth or overlain by unconsolidated deposits.

Degraded - a change in ground water quality from local natural background ground water quality which is determined by the Department to be deteriorating in terms of the magnitude of the change and the importance of the parameters describing ground water quality.

Department - the Massachusetts Department of Environmental Protection.

Discharge or Discharge of Pollutants - any addition of any pollutant or combination of pollutants to waters of the Commonwealth from any source, including but not limited to, discharges from surface runoff which is collected or channelled by man; discharges through pipes, sewers, or other conveyances owned by a State, municipality, or other person which do not lead to a POTW and discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works. This term does not include an addition of pollutants by any indirect discharger.

Disposal System - a system for disposing of sewage, industrial waste or other wastes, and including sewer systems and treatment works.

Effluent - a discharge of pollutants into the environment, whether or not treated.

Effluent Limitation or Effluent Limit - any requirement, restriction, or standard imposed by the Department on quantities, discharge rates, and concentrations of pollutants which are discharged from point sources into waters of the Commonwealth or to publicly owned treatment works.

Environmental Protection Agency or EPA - the United States Environmental Protection Agency.

6.02: continued

Existing Ground Water Quality - characteristics of the physical, biological, chemical, and radiological parameters representative of the ground water quality at a site at the time of permit issuance, permit renewal or nonpermitted discharge as determined by an accepted hydrogeologic study.

Federal Act - the Clean Water Act, P.L. 92-500 as amended by P.L. 95-217 and P.L. 95-576, 33 U.S.C. 125.

Fresh Water - water having a chloride concentration equal to or less than 250 mg/l, or a total dissolved solids concentration equal to or less than 10,000 mg/l.

Ground Water - water below the land surface in a saturated zone, including perched ground water.

Health Advisory - the level of a pollutant in water at which, with a margin of safety, adverse health effects would not be anticipated, as determined by the Department or EPA.

Industrial Waste - any liquid, gaseous, or solid waste substance or a combination thereof resulting from any process of industry, manufacturing, trade, or business or from the development or recovery of any natural resources.

Leachate - any liquid, including any suspended or dissolved components in the liquid, that has percolated through or drained from a landfill or other solid waste disposal site.

Massachusetts Water Quality Standards - the Massachusetts Surface Water Quality Standards (314 CMR 4.00) and the Massachusetts Ground Water Quality Standards (314 CMR 6.00).

Milligrams Per Liter or mg/l - the weight in milligrams of any specific substance or substances contained in one liter of solution.

Monitoring Well - a well that is specifically designed, constructed, emplaced and located to measure the impact of a subsurface discharge.

Natural Background Condition - the chemical, physical or biological characteristics of surface or ground waters unaltered by human activity.

Observation Well - a well that is used to determine existing hydrogeological conditions.

Other Wastes - all liquid discarded matter other than sewage or industrial waste which may cause or might reasonably be expected to cause pollution of the waters of the Commonwealth in contravention of adopted standards.

Outlet - the terminus of a sewer system, or the point of emergence of any wastewater or effluent into the waters of the Commonwealth or onto the land surface.

Pathogenic Organism - any disease-producing organism.

Perched Ground Water - unconfined ground water separated from an underlying body of ground water by an unsaturated zone.

Permit - an authorization issued pursuant to M.G.L. c. 21, §§ 43 and 314 CMR 2.00 and 3.00, 5.00, or 7.00, to implement the requirements of the Massachusetts Clean Waters Act, as amended, M.G.L. c. 21, §§ 26 through 53 and the Clean Water Act, P.L. 92-500 as amended by P.L. 95-217 and P.L. 95-576, 33 U.S.C. 125. and regulations adopted thereunder.

Person - any agency or political subdivision of the Commonwealth, the federal government, any public or private corporation or authority, individual, partnership or association, or other entity, including any officer of a public or private agency or organization, upon whom a duty may be imposed by or pursuant to any provisions of M.G.L. c. 21, §§ 26 through 53.

6.02: continued

Pollutant - any element or property of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter, in whatever form and whether originating at a point or major non-point source, which is or may be discharged, drained or otherwise introduced into any sewerage system, treatment works or waters of the Commonwealth.

Pollution - the presence in the environment of pollutants in quantities or characteristics which are or may be injurious to human, plant or animal life or to property or which unreasonably interfere with the comfortable enjoyment of life and property throughout such areas as may be affected thereby.

Potable Waters - fresh waters usable for drinking, culinary or food processing purposes.

Quality Standard - the assigned level of purity or quality for any waters in relation to their designated usage.

Saline Water - water having a chloride concentration of more than 250 mg/l or a total dissolved solids concentration of more than 10,000 mg/l.

Saturated Zone - any portion of the earth below the land surface where every available opening (pore, fissure, joint, or solution cavity) is filled with water.

Sewage - the water-carried human or animal wastes from residences, buildings, industrial establishments or other places, together with such ground water infiltration and surface water as may be present.

Septage - the liquid and solid wastes, primarily of sewage origin, that are removed from a cesspool, septic tank or similar receptacle.

State Act - the Massachusetts Clean Waters Act, as amended, M.G.L. c. 21, §§ 26 through 53.

Subsurface Sewage Disposal System - a disposal system which discharges sewage onto or beneath the surface of the ground.

Toxic Pollutants - those pollutants identified in 314 CMR 3.16, or any other pollutants or combination of pollutants, including disease-causing agents, which after discharge and upon exposure, ingestion, inhalation or assimilation into any organism, either directly from the environment or indirectly through food chains, may, on the basis of information available to the Department, cause death, disease, behavioral abnormalities, cancer, mutations, physiological malfunctions, biochemical abnormalities, including malfunctions in reproduction, or physical deformations, in such organisms or their offspring.

Treatment Works - any and all devices, processes and properties, real or personal, used in the collection, pumping, transmission, storage, treatment, disposal, recycling, reclamation or reuse of waterborne pollutants, but not including any works receiving a hazardous waste from off the site of the works for the purpose of treatment, storage or disposal, or industrial wastewater holding tanks regulated under 314 CMR 18.00.

Underground Injection Control or UIC - the program under Section 1421 of the Safe Drinking Water Act (P.L. 93-523 as amended by P.L. 95-190 and 96-502).

Unconsolidated Deposits - all non-indurated or poorly indurated soil materials above the bed rock.

Unsaturated Zone - that portion of the earth's crust which does not contain sufficient water to fill all interconnected voids or pore spaces. Perched water bodies may exist within the unsaturated zone.

Waste Management System - includes the management of mechanical equipment, crops, irrigation and monitors as an operational unit.

6.02: continued

Wastewater - sewage, industrial waste, other wastes or any combination of the three.

Waters of the Commonwealth - all waters within the jurisdiction of the Commonwealth, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, and ground waters.

Well - a bored, drilled, or driven shaft or a dug hole, whose depth is greater than its largest surface dimension.

6.03: Ground Water Classes and Designated Uses

All ground waters of the Commonwealth shall be assigned to one of the Classes listed below based upon the most sensitive uses for which the ground water is to be maintained and protected. The classes are:

- (1) Class I - Ground waters assigned to this class are fresh ground waters found in the saturated zone of unconsolidated deposits or consolidated rock and bed rock and are designated as a source of potable water supply.
- (2) Class II - Ground waters assigned to this class are saline waters found in the saturated zone of the unconsolidated deposits or consolidated rock and bed rock and are designated as a source of potable mineral waters, for conversion to fresh potable waters, or as raw material for the manufacture of sodium chloride or its derivatives or similar products.
- (3) Class III - Ground water assigned to this class are fresh or saline waters found in the saturated zone of unconsolidated deposits or consolidated rock and bed rock and are designated for uses other than as a source of potable water supply. At a minimum the most sensitive use of these waters shall be as a source of non-potable water which may come in contact with, but is not ingested by humans.

6.04: Establishing Ground Water Classifications

- (1) The procedure by which the classes designated in 314 CMR 6.03 are assigned to particular ground waters shall be known as a "classification". The initial classification of ground waters of the Commonwealth by the Department shall be done in accordance with the provisions of 314 CMR 6.04 and 6.10. Any person desiring a classification of the ground waters shall submit a petition to the Department. All such petitions shall contain at a minimum the following information:
  - (a) The name, mailing address and telephone number of the petitioner;
  - (b) The location and description of the ground waters including any aquifers for which the classification is proposed;
  - (c) The current classification and proposed classification for the ground waters in question;
  - (d) The current uses of the ground waters in question and the potential uses with and without the classification;
  - (e) A listing of all existing and planned public water supplies and all existing private water supplies in the area impacted by the classification;
  - (f) A listing of all known existing and proposed discharges of pollutants to the ground waters impacted by the classification;
  - (g) The reason or reasons why the classification is necessary; and
  - (h) In those cases where the proposed classification for the ground waters is Class III, documentation of compliance with the requirements of 314 CMR 6.05.
- (2) In addition to complying with the requirements of 314 CMR 6.05, where a Class III classification is proposed, the person proposing the classification may also be required to:
  - (a) Comply with the requirements of 301 CMR 10.00, if applicable;

6.04: continued

(b) Submit a hydrogeologic study which may include, but not be limited to, soil borings, installation of ground water monitoring and observation wells, determination of infiltration capacity, percolation tests, determination of transmissivity, defining the mounding potential, determining water table elevations, estimating the potential movement of the contaminant plume, analyses of soils, water quality analyses and computer modelling of the ground waters; and

(c) Any additional information deemed necessary by the Department to evaluate the classification request.

(3) Any classification under 314 CMR 6.04 constitutes a modification of 314 CMR 6.00 and shall be promulgated in accordance with the procedures set forth in M.G.L. c. 30A § 2. As part of any classification of ground waters as Class III, the Department shall publish a map of appropriate scale delineating the Class III area.

(4) In any classification, the burden of proof relative to justifying the classification shall be on the person requesting the classification.

6.05: Assignment of Class III Ground Waters

(1) The Class III designation shall not be assigned to any ground waters of the Commonwealth unless the Department finds that adjacent, tributary and downgradient ground waters and surface waters and the most sensitive designated uses thereof will not be impaired by such classification.

(2) No Class III classification shall be made if there is no existing or proposed discharge to the ground water requiring such a classification. If the discharge is to be made by means of injection into a well, no Class III classification shall be made except in compliance with the provisions of 310 CMR 27.07 and 40 CFR 144.7.

(3) A Class III classification shall only be considered for the following cases:

(a) The ground water impacted by the classification is under single ownership by the discharger proposing the classification; or

(b) The ground water impacted by the classification does not currently serve, and will not in the future serve, as a source of drinking water because:

1. The ground water is situated at a depth or location that makes recovery of water for drinking water purposes economically or technologically infeasible; or

2. The ground water is contaminated or degraded to the point that recovery of water for drinking water purposes is economically or technologically infeasible; or

3. The discharge of the person proposing the classification is located over a federally defined Class III well mining area subject to subsidence or catastrophic collapse; or

(c) The ground water impacted by the classification currently serves as a drinking water source, or could potentially serve as a drinking water source, but an alternate source of drinking water is available and will be provided by the discharger proposing the classification to all existing and potential users of the aquifer impacted by the discharge.

(4) Where it can be demonstrated that 314 CMR 6.05(3) has been satisfied, the following potential adverse effects on hydraulically connected surface and ground waters shall be evaluated in a classification proceeding under 314 CMR 6.04:

(a) The volume and physical, chemical and biological characteristics of the waste in the discharge to the proposed Class III ground waters, including the potential for migration;

(b) The hydrogeologic characteristics of the disposal site and the area immediately surrounding the proposed Class III area;

(c) The existing quantity and quality of ground water within the proposed Class III area, and the direction of ground water flow into and out of the proposed Class III area;

(d) The proximity of the disposal system to the proposed Class III area and hydraulically connected ground waters and surface waters;

(e) The proximity and withdrawal rates of ground water users in relation to the proposed Class III area;

6.05: continued

- (f) The potential for health risks caused by human exposure to waste constituents within the proposed Class III ground waters;
- (g) The current and future uses of surface waters and ground waters in the areas adjacent to the proposed Class III area and the water quality standards established for those waters;
- (h) The existing quality of surface waters and ground water adjacent to the proposed Class III area including other sources of contamination and the cumulative impact on water quality;
- (i) The potential damage to wildlife, crops, vegetation, and physical structures caused by the pollutants; and
- (j) The persistence and permanence of the potential adverse effects.

6.06: Minimum Ground Water Quality Criteria

(1) Class I and Class II Ground Waters. The following minimum criteria are applicable to all Class I and Class II ground waters:

<u>Parameter</u>	<u>Criteria</u>
(a) Pathogenic Organisms	Shall not be in amounts sufficient to render the ground waters detrimental to public health and welfare or impair the ground water for use as source of potable water.
(b) Coliform Bacteria	Shall not exceed the maximum contaminant level as stated in the National Interim Primary Drinking Water Standards.
(c) Arsenic	Shall not exceed 0.05 mg/l
(d) Barium	Shall not exceed 1.0 mg/l
(e) Cadmium	Shall not exceed 0.01 mg/l
(f) Chromium	Shall not exceed 0.05 mg/l
(g) Copper	Shall not exceed 1.0 mg/l
(h) Fluoride	Shall not exceed 2.4 mg/l
(i) Foaming Agents	Shall not exceed 0.5 mg/l
(j) Iron	Shall not exceed 0.3 mg/l
(k) Lead	Shall not exceed 0.05 mg/l
(l) Manganese	Shall not exceed 0.05 mg/l
(m) Mercury	Shall not exceed 0.002 mg/l
(n) pNitrate Nitrogen (as Nitrogen)	Shall not exceed 10.0 mg/l
(o) Total Trihalomethanes	Shall not exceed 0.1 mg/l
(p) Selenium	Shall not exceed 0.01 mg/l
(q) Silver	Shall not exceed 0.05 mg/l
(r) Sulfate	Shall not exceed 250 mg/l
(s) Zinc	Shall not exceed 5.0 mg/l
(t) Endrin (1,2,3,4,10, 10-hexachloro-1,7-epoxy-1, 4,4a,5,6,7,8,9a-octahydro- 1,4-endo,endo-5,8-dimethano naphthalene)	Shall not exceed 0.0002 mg/l
(u) Lindane (1,2,3,4,5, 6-hexachlorocyclohexane, gamma isomer)	Shall not exceed 0.004 mg/l
(v) Methoxychlor (1,1,1- Trichloro-2, 2-bis (p-methoxyphenyl) ethane)	Shall not exceed 0.1 mg/l
(w) Toxaphene (C <sub>10</sub> H <sub>10</sub> Cl <sub>8</sub> , Technical Chlorinated Camphene, 67-69 percent chlorine)	Shall not exceed 0.005 mg/l

6.06: continued

<u>Parameter</u>	<u>Criteria</u>
(x) Chlorophenoxys: 2,4-D,(2,4-Dichloro- phenoxyacetic acid)	Shall not exceed 0.1 mg/l
2,4,5-TP Silvex (2,4, 5-Trichlorophenoxy- propionic acid)	Shall not exceed 0.01 mg/l
(y) Radioactivity	Shall not exceed the maximum radionuclide contaminant levels as stated in the National Interim Primary Drinking Water Standards.
(z) pH	Shall be in the range of 6.5-8.5 standard units or not more than 0.2 units outside of the naturally occurring range.
(aa) All Other Pollutants	None in such concentrations which in the opinion of the Department would impair the waters for use as a source of potable water or to cause or contribute to a condition in contravention of standards for other classified waters of the Commonwealth.

(2) Class III Ground Waters. The following minimum criteria are applicable to all Class III ground waters:

<u>Parameter</u>	<u>Criteria</u>
(a) Pathogenic Organisms	Shall not be in amounts sufficient to render the ground waters detrimental to public health, safety or welfare.
(b) Radioactivity	Shall not exceed the maximum radionuclide contaminant levels as stated in the National Interim Primary Drinking Water Standards.
(c) All Other Pollutants	None in concentrations or combinations which upon exposure to humans will cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions or physical deformations or cause any significant adverse effects to the environment, or which would exceed the recommended limits on the most sensitive ground water use.

6.07: Application of Standards

(1) Ground Water Discharge Permits. No person shall make or permit an outlet for the discharge of sewage or industrial waste or other wastes or the effluent therefrom, into any ground water of the Commonwealth without first obtaining a permit from the Department pursuant to 314 CMR 5.00. Said permit shall be issued subject to such conditions as the Department may deem necessary to insure compliance with the standards established in 314 CMR 6.06. Applications for ground water discharge permits shall be submitted within times and on forms prescribed by the Department and shall contain such information as the Department may require.

## 6.07: continued

(2) Establishment of Discharge Limits. In regulating discharges of pollutants to ground waters of the Commonwealth, the Department shall limit or prohibit such discharges to insure that the quality standards of the receiving waters will be maintained or attained. The determination by the Department of the applicable level of treatment for an individual discharger will be made in the establishment of discharge limits in the individual ground water discharge permit. In establishing effluent limitations in the individual permits, the Department must consider natural background conditions, must protect existing adjacent and downgradient uses and must not interfere with the maintenance and attainment of beneficial uses in adjacent and downgradient waters. Toward this end, the Department may provide a reasonable margin of safety to account for any lack of knowledge concerning the relationship between the pollutants being discharged and their impact on the quality of the ground waters.

(3) For purposes of determining compliance with 314 CMR 6.06(1)(aa) for toxic pollutants in Class I and Class II ground waters, the Department shall use Health Advisories which have been adopted by the Department or EPA. Generally, the level of a toxic pollutant which may result in one additional incident of cancer in 100,000 given a lifetime exposure ( $10^{-5}$  Excess Lifetime Cancer Risk) will be used in determining compliance with 314 CMR 6.06(1)(aa).

(4) Coordination with Federal Criteria. The Department may use available published water quality criteria documents as guidance in establishing case-by-case discharge limits on specific pollutants to ground waters including but not limited to EPA guidance published in accordance with PL 92-500, § 304(b).

6.08: Monitoring

(1) Collection of Samples. The determination of compliance or non-compliance of sewage, industrial waste or other waste discharges with the requirements of 314 CMR 6.00 shall be made through tests or analytical determinations of ground water or effluent samples collected, transported and stored in such manner as is approved by the Department. The location at which ground water samples are collected shall be determined by the Department. In selecting or approving such locations, the Department shall consider all relevant facts including, but not limited to:

- (a) The mobility of pollutants in the unsaturated zone and the pollutant attenuation mechanisms in this zone.
- (b) Attenuation mechanisms which may remove potential pollutants in passage through the soil.
- (c) The relative thickness of the unsaturated zone.
- (d) Attenuation of pollutant concentrations with distance which may occur in the saturated zone, as a result of attenuation processes occurring below the water table.

The location at which effluent samples are collected shall be at a point where the effluent emerges from a treatment works, disposal system, outlet or point source and prior to being discharged to the ground.

(2) Number of Monitoring Wells. The Department shall determine the number of observation and monitoring wells necessary for the determination of compliance with 314 CMR 6.00.

(3) Tests or Analytical Determinations. Test or analytical determinations to determine compliance or non-compliance with standards shall be made in accordance with:

- (a) the latest edition of *Standard Methods for the Examination of Water and Wastewater* prepared by the American Public Health Association, American Water Works Association, and Water Pollution Control Federation;
- (b) the latest edition of *Methods for Chemical Analysis of Water and Wastes* prepared by the Environmental Protection Agency;
- (c) the latest edition of *Water Standards of The American Society for Testing and Materials*; or
- (d) other methods approved by the Department as giving results equal to or superior to methods listed above.

6.09: Specific Designation of Ground Water Classes

(2) The ground waters beneath the lands listed in the following table are designated either as Class II or Class III as indicated in the table, with variations from the Class I criteria as itemized. Except as specifically stated in the table, Class I criteria are applicable to such waters.



TABLE

Municipality: Falmouth

Area: (1) An area of approximately 945 acres in the vicinity of the Falmouth Wastewater Treatment Facility, generally as bounded on the West by West Falmouth Harbor; on the North by an East-West line extending from Mashapaquit Creek to Route 28, approximately 200 feet South of Chase Road; on the East by a North-South line extending from approximately 600 feet South of Thomas Landers Road to Blacksmith Shop Road, approximately 3,700 feet East of Route 28; on the Southeast by a Northeast-Southwest line extending from Blacksmith Shop Road, approximately 3,700 feet East of Route 28 to Route 28 approximately 200 feet North of Brick Kiln Road; on the South by an East-West line extending from Route 28 to Harbor Head, approximately 200 feet North of Brick Kiln Road; and the entire site area of the Falmouth Wastewater Treatment Facility; all as more particularly shown on plans designated "Falmouth 1" on file at the Department headquarters office.

Class: III

Basis: 314 CMR 6.05(3)(c); Permit #0-168

Variation From Class I Standard:

Nitrate Nitrogen (as Nitrogen): 50 mg/l;  
Total Nitrogen (as Nitrogen): 50 mg/l;  
Chlorides: no applicable standard;  
Total Dissolved Solids: no applicable standard

Municipality: Nantucket

Area: (1) An area of approximately 87.3 acres located at the Surfside Wastewater Treatment Facility off Sewer Bed Road, all as more particularly shown on a plan designated "Nantucket 1" on file with the Department headquarters office.

Class: III

Basis: 314 CMR 6.05(3)(a); Permit #0-200

Variation from Class I Standard:

Nitrate Nitrogen (as Nitrogen): 50 mg/l;  
Total Nitrogen (as Nitrogen): 50 mg/l;  
Chlorides: no applicable standard;  
Total Dissolved Solids: no applicable standard

Area: (2) An area of approximately 17.8 acres located at the Siasconset Wastewater Treatment Facility off Low Beach Road, all as more particularly shown on a plan designated "Nantucket 2" on file with the Department headquarters office.

Class: III

Basis: 314 CMR 6.05(3)(a); Permit #0-201

6.09: continued

Variation from Class I Standard:

Nitrate Nitrogen (as Nitrogen): 50 mg/l;  
Total Nitrogen (as Nitrogen): 50 mg/l;  
Chlorides: no applicable standard;  
Total Dissolved Solids: no applicable standard.

Municipality: Orleans

Area: (1) The lots in an area of approximately 38 acres bounded generally by the Cape Cod Rail Trail on the North; the southbound off-ramp from Route 6 towards Route 6A for approximately 700 feet on the Southeast; an east-west line extended from the Route 6 southbound off-ramp to Bog Hollow Road, 150 feet south of the intersection of Overland Way with Bay Ridge Lane on the South; and a north-south line extended from Bog Hollow Road to the Cape Cod Rail Trail approximately 300 feet south of the circle at the end of Overland Way on the West; all as more particularly shown on a plan designated "Orleans 1" on file with the Department headquarter office.

Class: III

Basis: 314 CMR 6.05(3)(c); Permit #0-187

Variation from Class I Standard:

Nitrate Nitrogen (as Nitrogen): 50 mg/l;  
Total Nitrogen (as Nitrogen): 50 mg/l;  
Chlorides: no applicable standard;  
Total Dissolved Solids: no applicable standard.

6.10: Interim Provisions

(1) Ground water classifications will be assigned state-wide by the Department on or after June 1, 1985. Any person desiring an initial assignment of a specific classification for particular ground waters as part of the state-wide classifications should submit the information specified in 314 CMR 6.04 to the Department prior to January 1, 1985. All ground waters for which no petition for consideration of a specific classification is filed with the Department prior to January 1, 1985 will be proposed by the Department for assignment as Class I. The Department may consider individual petitions for Class III assignment on a case-by-case basis at any time, such petitions shall comply with the provisions of 314 CMR 6.04.

(2) In the absence of a classification all ground waters will be protected for the most sensitive of the uses designated in 314 CMR 6.03, that is as a source of potable water supply. All ground water discharge permits issued after October 1, 1983, but prior to the classification of the ground waters receiving the discharge, shall contain such special conditions necessary to protect the ground waters for use as a source of potable water supply, including but not limited to the applicable Class I effluent limitations contained in 314 CMR 5.10(3).

REGULATORY AUTHORITY

314 CMR 6.00: M.G.L. c. 21, §§ 27(5) and 28(12).

(PAGES 209 AND 210 ARE RESERVED FOR FUTURE USE.)